

John Edmonds

From: John Edmonds
Sent: Monday, August 30, 2010 9:50 AM
To: 'Daniels, Steven'
Cc: Erick Robinson; Spangler
Subject: RE: Adjustacam lawsuit--Request for extension

We oppose for the reasons stated during the meet and confer.

John J. Edmonds

CEPIP

713-364-5291 (direct)

From: Daniels, Steven [mailto:steven.daniels@dechert.com]
Sent: Monday, August 30, 2010 9:48 AM
To: John Edmonds
Cc: Erick Robinson; Spangler
Subject: RE: Adjustacam lawsuit--Request for extension

John:

You are correct that I should not have used that word, and I apologize. The answers are due on Friday. Will you oppose an application for extension to the following Friday, September 10? As I explained, this is not a question of circulating drafts; it is an issue of performing the due diligence required by Rule 11 to ensure that I am responding in good faith as to all of the products accused.

Steve

From: John Edmonds [mailto:jedmonds@cepiplaw.com]
Sent: Monday, August 30, 2010 9:29 AM
To: Daniels, Steven
Cc: Erick Robinson; Spangler
Subject: RE: Adjustacam lawsuit--Request for extension

Steve,

Thanks for your email below. I agree that you said I'd look like a "jackass" for opposing your clients' second extension. Your email below seems to indicate this is somehow different than calling me a "jackass." You are missing the point. It is unprofessional, and frankly unhelpful, to insult opposing counsel and to use such language, and you should consider avoiding it in the future.

My client's opposition to another lengthy extension for your four clients to respond is not a matter of "believing you" when you say your clients need more time to respond. I considered your stated justifications for an additional extension and found them unpersuasive.

As I stated during the meet and confer, if you are pinched for time and need a few days to circulate proposed answers to your clients, we would not oppose an extension for a few days to get that done. A few is three. If you need until this Friday, that is fine too.

[Please note that the address for our Houston office recently changed to 1616 S. Voss Rd., Ste., 125, Houston, TX 77057.]

John J. Edmonds

CEPIP

713-364-5291 (direct)

From: Daniels, Steven [mailto:steven.daniels@dechert.com]

Sent: Monday, August 30, 2010 9:23 AM

To: John Edmonds

Cc: Erick Robinson; Spangler

Subject: RE: Adjustacam lawsuit--Request for extension

John:

I did not call you that. I said you would look like one to the court for your unwillingness to compromise. I explained to you in great detail the reasons I need the extra time. It is regrettable that you did not believe me.

Are you suggesting I file an application for an extension of time for a "few days"? What do you consider a "few days"? I do not intend to let the answer deadline pass without filing something with the court, so please make your position clear.

Steve

From: John Edmonds [mailto:jedmonds@cepiplaw.com]

Sent: Monday, August 30, 2010 9:18 AM

To: Daniels, Steven

Cc: Erick Robinson; Spangler

Subject: RE: Adjustacam lawsuit--Request for extension

Steve,

With all due respect, insults are unprofessional, including those in your email below, and including your calling me a "jackass" because I oppose your position. To amplify what is noted below, your clients have already had a 30 day extension to respond to the complaint, which AdjustaCam did not oppose. I heard nothing from you to justify an additional extension for your four unrelated clients. Rather, it appears that your clients just desire to delay responding for their own reasons. I told you that, if you are pinched for time and need a few days to circulate proposed answers to your clients, we would not oppose an extension for a few days to get that done, but no additional extension appears justified.

[Please note that the address for our Houston office recently changed to 1616 S. Voss Rd., Ste., 125, Houston, TX 77057.]

John J. Edmonds

CEPIP

713-364-5291 (direct)

From: Daniels, Steven [mailto:steven.daniels@dechert.com]
Sent: Monday, August 30, 2010 9:11 AM
To: John Edmonds
Cc: Erick Robinson; Spangler
Subject: RE: Adjustacam lawsuit--Request for extension

John:
Thank you for conferring with me this morning. Just to be clear, you informed me that Adjustacam opposes any further extension of time to answer on behalf of my clients HP, Fry's, MEI, and Office Depot. I will file the opposed motion this morning and request expedited briefing. I will be seeking a 30-day extension.

I am sorry to see you starting the case with this complete lack of courtesy and cooperation.

Steve

Steven R. Daniels
Dechert LLP
300 West 6th Street, Suite 2010
Austin, Texas 78701
(512) 394-3015
Fax: (512) 394-3974

From: John Edmonds [mailto:jedmonds@cepiplaw.com]
Sent: Monday, August 30, 2010 7:04 AM
To: Daniels, Steven
Cc: Erick Robinson; Spangler
Subject: RE: Adjustacam lawsuit--Request for extension

The dial-in for our 9 am meet and confer is as follows: 605-715-4900 / Access Code 400315.

[Please note that the address for our Houston office recently changed to 1616 S. Voss Rd., Ste., 125, Houston, TX 77057.]

John J. Edmonds
CEPIP
713-364-5291 (direct)

From: John Edmonds
Sent: Friday, August 27, 2010 5:00 PM
To: 'Daniels, Steven'
Cc: Henry Pogorzelski; Michael Collins; Erick Robinson; Spangler
Subject: RE: Adjustacam lawsuit--Request for extension

Steve,

I'll be happy to discuss the facts that your clients have already had one thirty day extension to respond, and that a second thirty day extension is excessive and unwarranted.

With all due respect, you don't get to summon me to call you for a meet and confer. Please provide one or more convenient times to speak, and we'll circulate a dial-in.

John J. Edmonds

CEPIP

713-364-5291 (direct)

From: Daniels, Steven [mailto:steven.daniels@dechert.com]
Sent: Friday, August 27, 2010 4:51 PM
To: John Edmonds
Cc: Henry Pogorzelski; Michael Collins; Erick Robinson; Spangler
Subject: RE: Adjustacam lawsuit--Request for extension

John:
Further to my earlier e-mail, if you intend to oppose our application for an extension, please convey the basis for your opposition to me by telephone, in accordance with the Local Rule regarding pre-filing conferences. Also, please be prepared to discuss how your refusal to accommodate this request for an extension fulfills your duties under Local Rule AT-3(J).

If you cannot reach me in my office, please call my cell phone: 512-733-3623. We will file our application for an extension on Monday morning.

Thank you,
Steve

Steven R. Daniels
Dechert LLP
300 West 6th Street, Suite 2010
Austin, Texas 78701
(512) 394-3015
Fax: (512) 394-3974

From: John Edmonds [mailto:jedmonds@cepiplaw.com]
Sent: Friday, August 27, 2010 2:59 PM
To: Daniels, Steven
Cc: Henry Pogorzelski; Michael Collins; Erick Robinson
Subject: RE: Adjustacam lawsuit--Request for extension

Steven,

Thanks for your email. Sorry, I haven't received the message yet. Is this the first extension for each of HP, Fry's, Microcenter Electronics, and Office Depot?

[Please note that the address for our Houston office recently changed to 1616 S. Voss Rd., Ste., 125, Houston, TX 77057.]

John J. Edmonds

CEPIP

713-364-5291 (direct)

From: Daniels, Steven [mailto:steven.daniels@dechert.com]

Sent: Friday, August 27, 2010 2:50 PM

To: John Edmonds; Henry Pogorzelski; Michael Collins

Subject: Adjustacam lawsuit--Request for extension

Dear Mr. Edmonds:

Following up on my voice mail of earlier today, can you please let me know if you will oppose a thirty day extension for HP, Fry's, Microcenter Electronics, and Office Depot to answer or otherwise respond to Adjustacam's complaint?

Thank you,
Steve

Steven R. Daniels

Dechert LLP

300 West 6th Street, Suite 2010

Austin, Texas 78701

(512) 394-3015

Fax: (512) 394-3974

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